

**REMARKS**

Applicant has carefully reviewed the Office Action dated March 28, 2005. Claims 1-26 are pending in this application. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Buckley et al.* ("*Buckley*") in view of *Walsh et al.* ("*Walsh*"). This rejection is respectfully traversed with respect to the claims as presented.

As noted in previous Office Actions, the *Buckley* reference is directed toward a portable device that is utilized to scan a bar code and transmit that bar code to a client PC. The client PC can then utilize this code for the purpose of connecting to a remote node on the network to access content from various content providers. The primary purpose of the *Buckley* device is to scan codes and download these codes to a PC. It is the PC that then transmits this code to the network. Applicant's claim requires that the triggering device have a unique code associated therewith that uniquely identifies the trigger device. As noted in the previous responses, *Buckley* fails in this aspect, since there is no unique code associated therewith, as recognized by the Examiner. Thus, there can be no unique code associated with the remote location that is unique to the scanner. Further, the Examiner indicates that *Buckley* discloses transmitting the unique code from a triggering device to the interface system. All that *Buckley* transmits are bar codes which are not unique to the scanner. Thus, Applicant believes that the *Buckley* device fails in a key aspect of the system. This key aspect allows a manufacturer of a scanner or a portable device to provide that portable device to a user. When the portable device is proximate to or connected to or interfaced with the interface device, the unique code can be transmitted to the interface device for the purpose of connecting the interface device to a location on the web that is associated with that code. The purpose for this is to insure that the user is connected to a web site associated with the remote device that they have on their person. Since there is no way of associating a unique code with the device, nor is there any suggestion that such would be the case, there is no way to achieve the purpose

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that Applicant's device seeks to achieve; that is, to tie the location on the web uniquely to the triggering device, i.e., the device that has the identifying code associated therewith.

The Examiner has combined the *Walsh* reference to disclose a device having a unique code that uniquely identifies the device, with the unique code having no location information stored therein. The *Walsh* reference is a reference that provides a portable scanning device that is operable to do nothing more than scan command codes and then send these command codes to a server. The Examiner has directed Applicant to Col 26, lines 23-56 for such support. However, the disclosure at Col. 26 as set forth by the Examiner is to scan a bar code that includes "a unique code recognizable by a microprocessor" in the user device. (Col. 26, lines 37-38.) Thus, there is no unique code associated with the device disclosed in Col. 26 that is transmitted to another location. However, in Col. 31, beginning at line 16, it is set forth that each of the user devices has a user device ID code associated therewith. Therefore, the user device, when sending a communication to a server, will transmit a user device ID code, a password and various other information. As such, there is disclosure that some device ID is associated with the portable device. However, Applicant believes that this is insufficient, as there is no motivation to combine these two references.

As required by the MPEP § 2143, a *prima facie* case of obviousness requires a reasonable expectation of successful combination of the references. In the present case, the purpose of the *Buckley* reference is to do nothing more than to collect bar codes. There is no reason to have a unique code associated with the pen, as the purpose is to utilize printed bar codes for the purpose of redirecting or linking a PC to a content provider. To dispose a unique bar code in each reader would require an additional step, as the stated purpose of Applicant's device is to provide a unique association between a location on a network and that unique code in that scanner. The *Walsh* device, on the other hand, is a device that has a user device ID that is transmitted to a host service for the purpose of "identifying" the user device ID. The user device ID that is unique to the input or triggering device of Applicant's inventive concept, as defined by the claims, is not used to identify the scanner but, rather, it is utilized to provide a connection between the triggering device and a location on the web. As such, there are two distinctly different reasons for providing the user ID and there is no suggestion in any way in either of

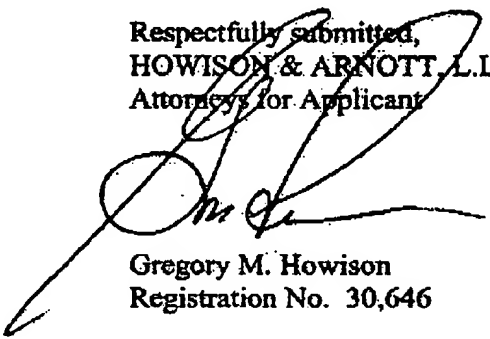
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the references that would provide a user ID in *Walsh* for the purpose of identifying a scanner to be utilized and the pen of *Buckley* for the purpose of linking that unique user ID to a location on the web. Neither of these references suggest such linking of a unique ID that is unique to a scanner with a location on the network. As such, Applicant respectfully requests the withdrawal of the 35 U.S.C. § 103 rejection with respect to Claims 1-26, as *Walsh* fails to cure the deficiencies noted herein above with respect to *Buckley*.

Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,355 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
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